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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,190	03/28/2001	Kazushi Sato	SONYJP 3.0-763	2916
530 7590 06/05/2007 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			EXAMINER CZEKAJ, DAVID J	
			ART UNIT 2621	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/819,190	Applicant(s) SATO ET AL.	
	Examiner Dave Czekaj	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-24,26-28,30 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5-24,26-28,30 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

The common knowledge or well-known in the art statement with regards to claims 8-10 is taken to be admitted prior art because applicant has failed to traverse the examiner's assertion of Official Notice.

Claim Objections

Claim 5 is objected to because of the following informalities: Claim 5 depends from canceled claim 4. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 5-12, 16-19, 28, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6104753), (hereinafter referred to as "Kim") in view of Demos (6728317).

Regarding claims 1, 11, and 28, Kim discloses an apparatus that relates to a HDTV video decoder (Kim: column 1, lines 7-10). This apparatus comprises "decoding I and P pictures by processing the interlaced scanning formatted pictures on a macroblock bases using four of eight DCT coefficients in the

horizontal and vertical directions" (Kim: figure 3, column 8, lines 15-20), discarding a field from the interlaced scanning formatted decoded pictures to generate progressive scanning pictures" (Kim: column 8, lines 40-45, wherein the field discarding is removing the data on even line positions) and "decimating the progressive picture in the horizontal direction" (Kim: column 6, lines 64-66). However, this apparatus lacks the decision and encoding means as claimed. Demos teaches that it would be desirable to provide enhancements to resolution and image clarity (Demos: column 2, lines 7-10). To help provide this, Demos discloses an apparatus comprising "determining picture types that includes I, P, and B pictures and discarding B pictures from the input information" (Demos: column 19, lines 4-8) and "encoding the decimated pictures according to the MPEG-4 standard to generate the output having a resolution of $\frac{1}{4} \times \frac{1}{4}$ of the input" (Demos: column 34, lines 30-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Kim and add the enhancement techniques taught by Demos in order to obtain an apparatus that provides the best picture quality possible.

Regarding claims 12, and 30, Kim discloses "the decimating means performs $\frac{1}{2}$ downsampling in horizontal direction and output has resolution of $\frac{1}{4}$ for both the horizontal and vertical directions" (Kim: column 6, lines 64-66).

Regarding claims 5 and 32, note the examiners rejection for claim 1.

Regarding claim 6, Kim discloses "a variable length decoder and IDCT" (Kim: figure 2).

Regarding claim 7, Kim discloses "the IDCT means is associated with the field mode and applies IDCT to DCT coefficients of four horizontal and vertical coefficients of eight horizontal and vertical DCT coefficients" (Kim: figure 9, item 31).

Regarding claims 8-10, although not disclosed, it would have been obvious to apply field separation to the DCT coefficients (Official Notice). Doing so would have been obvious in order to process the correct video data.

Regarding claim 16, Kim discloses "the filter is a half-band filter" (Kim: figure 9).

Regarding claim 17, Kim discloses "the filter calculates coefficients equivalent to a series of interpolation operations to apply the coefficients direction to pixel values depending on values of the motion vector" (Kim: figure 9, figure 30, column 17, lines 15-35).

Regarding claims 18-19, Kim discloses "the motion compensation means virtually creates pixels as necessary outside the picture frame by way of a filtering processing operation" (Kim: column 10, lines 15-25, wherein the half pixel or pel is the result of the virtual pixels).

2. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6104753), (hereinafter referred to as "Kim") in view of Demos (6728317) in further of Staver et al. (5463569), (hereinafter referred to as "Staver").

Regarding claims 13-15, note the examiners rejection for claim 1, and in addition, claims 13-15 differ from claim 1 in that claims 13-15 further require a double interpolation filter. Staver teaches that a sharper cutoff in frequency may be achieved by using a double interpolation filter (Staver: column 6, lines 21-24). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the double interpolation filter taught by Staver in order to obtain an apparatus that can easily achieve a sharp cutoff in frequency.

3. Claims 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6104753), (hereinafter referred to as "Kim") in view of Demos (6728317) in further view of Katayama et al. (5621826), (hereinafter referred to as "Katayama").

Regarding claims 20-24, note the examiners rejection for claim 1, and in addition, claims 20-24 differ from claim 1 in that claims 20-24 further require converting to a picture containing $\frac{1}{4}$ resolution in both directions. Katayama teaches that data reduction using conventional methods results in the loss of information (Katayama: column 2, lines 28-30). To help alleviate this problem, Katayama discloses "converting an interlaced picture having $\frac{1}{2}$ resolution in both directions to a picture having a resolution of $\frac{1}{2}$ horizontal $\frac{1}{4}$ vertical and then to $\frac{1}{4}$ for both directions" (Katayama: figures 2 and 11, wherein the converting is the two stage process. After the first iteration, the picture has a resolution of $\frac{1}{2}$ horizontal $\frac{1}{4}$ vertical. After the second iteration/pass the picture has $\frac{1}{4}$ resolution in both directions. Therefore, it would have been obvious to one having ordinary

skill in the art at the time the invention was made to implement the data reduction method taught by Katayama in order to prevent the loss of data.

4. Claims 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6104753), (hereinafter referred to as "Kim") in view of Demos (6728317) in further view of Kondo (5835138).

Regarding claims 26-27, note the examiners rejection for claim 1, and in addition, claims 26-27 differ from claim 1 in that claims 26-27 further require a synthesized motion vector. Kondo teaches that the motion vector due to the camera shake cannot be correctly detected (Kondo: column 2, lines 15-20). To help alleviate this problem Kondo discloses "synthesizing the motion vector" (Kondo: column 10, lines 16-23). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the synthesized motion vector taught by Kondo in order to obtain an apparatus that can correctly identify motion vectors and correct camera shaking from blurring the image.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Mon-Thurs and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2621

DJC

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TC-2600